

Anticipated Classification  
of this Application:  
Class 435 Subclass 368  
& 514 2

Prior Application:  
Examiner Olga N. Chernyshev  
Group Art Unit 1646

Dkt. 2609/60726-AZ/JPW/GJG/DJK  
Attorney's  
Docket  
N. 60726-AZ

MAIL STOP: Patent Application  
COMMISSIONER FOR PATENTS  
P.O BOX 1450  
ALEXANDRIA, VA 22313-1450



16569 U.S. PTO

17858 U.S. PTO  
10/776442



S I R:

This is a request for filing a \_\_\_\_\_ CONTINUATION

X DIVISIONAL \_\_\_\_\_ CONTINUATION-IN-PART application under

X 37 C.F.R. §1.53(b) \_\_\_\_\_ 37 C.F.R. §1.53(d), of pending prior application

Serial No. 09/885,227 filed on June 20, 2001 of

Moses Rodriguez and Daren Ure for  
Inventor(s)

TREATMENT OF CENTRAL NERVOUS SYSTEM DISEASES BY ANTIBODIES AGAINST GLATIRAMER ACETATE  
Title of Invention

1. X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2. \_\_\_\_\_ A verified statement to establish small entity status under 37 C.F.R. §1.9 and 1.27  
\_\_\_\_\_ is enclosed.  
\_\_\_\_\_ was filed in the prior application and such status is still proper and desired (37 C.F.R. §1.28(a)).
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	26-20	=	6	X	9	18	= \$	\$108.00
Independent Claims	4-3	=	1	X	42	86	= \$	\$86.00
Multiple Dependent Claims Presented: _____ Yes <u>X</u> No					140	280	= \$	\$ 0.00
					BASIC FEE		\$ 375	\$770.00
					TOTAL FEE		\$	\$964.00

\*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

<sup>1</sup> Filing an application pursuant to this section expressly abandons the parent application.

**Filed: Berewith**

Page 2

4.   X   The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.
- X   Any additional filing fees required under 37 C.F.R. §1.16.
- X   Any patent application processing fees under 37 C.F.R. §1.17.
- The issue fees set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).
5.   X   Three copies of this sheet are enclosed.
6.   X   A check in the amount of \$ 964.00 is enclosed.
7.        Cancel claims                                 .
8.        Amend the specification by inserting before the first line the sentence: --This is a        continuation        division of application Serial No.                     , filed                      ---
9.   X     32   Sheet(s) of        informal   X   formal drawing(s) is/are enclosed.
10.        Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11.        Priority of application No.                      filed on                      in                      (country) is claimed under 37 U.S.C. §119.
- The certified copy of the priority application has been filed in prior application Serial No.                     , filed                     .
12.        The prior application is assigned of record to   .
13.   X   A preliminary amendment is enclosed.
14.   X   The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. N . 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. N . 25,702); R bert D. Katz (Reg. N . 30,141); Peter J. Phillips (Reg. N . 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No.38,232); Paul Teng (Reg. No. 40,837); Richard F. Jaworski (Reg. No. 33,515); Alan J. Morrison (Reg. No. 37,399); Mark A. Farley (Reg. N . 33,170); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershtik (Reg. No. 39,992); Alan D. Miller (Reg. No. 42,889); and Frank Brun (Reg. No. 46,583)

Cont/Div.  
Page 3

- (a) \_\_\_\_\_ The power appears in the original papers in the prior application.
- (b)   X   Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c)   X   Address all future communications to:  
(May only be completed by applicant,  
or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

15.   X   Also enclosed Express Mail Certificate of Mailing No.  
EV 325 709 964 US dated February 10, 2004 and an Information Disclosure  
Statement
16.   X   I hereby verify that the attached papers are a true copy  
of prior application Serial No. 09/885,227 as originally  
filed on June 20, 2001

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

2/10/04

Signature

Gary J. Gershik  
John P. White

Reg. No. 39, 992  
Reg. No. 28, 678

\_\_\_\_\_  
INVENTOR(S)

\_\_\_\_\_  
ASSIGNEE OF COMPLETE INTEREST

  X   ATTORNEY OR AGENT OF RECORD

\_\_\_\_\_  
FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

John P. White, Esq.  
Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Moses Rodriguez and Daren Ure  
Serial No. : Not Yet Known (Divisional application of  
U.S. Serial No. 09/885,227)  
Filed : Herewith  
For : TREATMENT OF CENTRAL NERVOUS SYSTEM  
DISEASES BY ANTIBODIES AGAINST GLATIRAMER  
ACETATE

1185 Avenue of the Americas  
New York, New York 10036  
February 10, 2004

Mail Stop: Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, V.A. 22313-1450

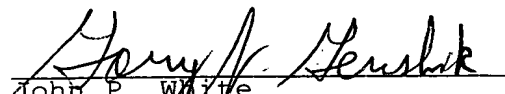
SIR:

**EXPRESS MAIL CERTIFICATE OF MAILING**  
**FOR ABOVE-IDENTIFIED APPLICATION**

"Express Mail" mailing label number: EV 325 709 964 US  
Date of Deposit: February 10, 2004  
I hereby certify that this paper or fee is being deposited with  
the United States Postal Service "Express Mail Post Office to  
Addressee" service under 37 C.F.R. §1.10 on the date indicated  
above and is addressed to the Assistant Commissioner for Patents,  
Washington, D.C. 20231 :

  
Printed Name: John P. White

Respectfully submitted,

  
John P. White  
Registration No. 28,678  
Gary J. Gershik  
Registration No. 39,992  
Attorneys for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400